REMARKS

I. Status of th Claims

Claims 11 - 100 are now pending in this application. Claims 11-99 have been withdrawn from consideration. The Applicants argue that claims 11-44 should be considered in addition to claim 100, as they correspond to the original Group I claims 1-7, which contrary to the Examiner's contention was elected in the Amendment and Reply of December 21, 2001.

II. Objection to Examiner's refusal to examine claims 11-44

The Applicants respectfully object to the Examiner's withdrawal of claims 11-44 from consideration. Applicants believe that they are entitled to examination of claims 11-44 in addition to claim 100. The Applicants wish to thank the Examiner for the courtesy of a telephone interview on March 27, 2002, in which the Examiner left open the possibility of considering claims 11-44.

In the Office Action mailed October 2, 2001, the Examiner required restriction between the following groups of claims:

> **Group I** Claims 1-7, drawn to "compound and composition, classified in class 424, subclass 70.1, class 564, subclass various;
>
> **Group II** Claim 8, drawn to "process for permanent deformation,..., classified in class 424, subclass 70.2, 70,3 etc"
>
> **Group III** Claim 9, drawn to "method of use, classified in class 424, 70.3, 70.4, 70.1; class 514, subclass various;" and
>
> **Group IV** Claim 10, drawn to "a kit, classified in class 206, subclass various."

In the Reply filed on December 21, 2001, the Applicants stated:

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> To be fully responsive to the restriction requirement, Applicants elect, with traverse, the subject matter of Group I, claims 1-7, now cancelled and amended to conform with U.S. patent practice as claims 11-44 and 100.
>
> As an initial matter, Applicants note that claims 11 - 44 and 100 correspond to the subject matter of original claims 1-7 (Group I).

Reply at page 30.

By these remarks, Applicants have made clear that Group I claims 1-7 were elected. These remarks also clearly state that the Group I claims were cancelled in favor of new claims 11-44 and 100, which merely conformed claims 1-7 to U.S. patent practice.

The Examiner contends that "new claims 11-100... are broader than original presentation." Office Action at page 2.

The Applicants respectfully disagree with this reasoning. First, the Examiner has not cited any authority for refusing to examine claims based on their being "broader than original presentation." Applicants understand that restriction is proper where the application is directed to two or more separate and independent claimed inventions. M.P.E.P. § 802.02. The Applicants are unaware, however, where "broader than original presentation" forms a proper basis for restricting examination.

Second, the Examiner provided no reasoning for failing to examine new claims 11-44, which replaced claims 1-7 of the Group I claims other than her statement that no group was elected, which was incorrect.

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Accordingly, Applicants respectfully request that claims 11-44 be considered in this application.

III. Rejection under 35 U.S.C. § 102

Claim 100 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Yarovenko et al. (DN 73:34993, CAPLUS, abstract of Zh. Org. Khim. (1970), 6(5), 947-9).

Claim 100 has been amended to delete "imino(phenylamino)methanesulphinic acid." Because Yarovenko et al. does not disclose "(carboxymethylamino)iminomethanesulphinic acid," Applicants believe that claim 100 is patentable over Yarovenko.

Accordingly, Applicants respectfully request withdrawal of this rejection.

IV. Conclusion

If the Examiner believes a telephone conference would be useful in resolving any outstanding issues, she is invited to call the undersigned at (202) 408-4173.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Natalia V. Dent, Reg No. 39,064
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DATE: August 8, 2002

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APPENDIX OF CLAIMS

100. (Amended) A compound chosen from:

- (carboxymethylamino)iminomethanesulphinic acid[, and

- imino(phenylamino)methanesulphinic acid].

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